

REMARKS

Claims 1, 4-7, 9-12, 14, 15, 17-19, 21, 22, 24, 25, 27-29 and 31-33 remain pending in the application, claims 3, 8, 13 and 20 being canceled herein.

Informalities in Claims 3-10, 12-15, 17, 19-22 and 24

Claims 3-10, 12-15, 17, 19-22 and 24 were objected to because of noted informalities. Claims 3, 8, 13 and 20 being canceled herein. Claims 4-7, 9, 10, 12, 14, 15, 17, 19, 21, 22 and 24 have been carefully reviewed, and are amended as the Examiner suggests to to correct the typographical error in the relevant preambles. It is respectfully requested that the objection now be withdrawn.

Section 112, 2nd Paragraph Rejections of Claims 1, 3-10, 11-15, 17-22 & 24

Claims 1, 3-10, 11-15, 17-22 and 24 were rejected under 35 USC 112, second paragraph, for allegedly being indefinite. Claims 3, 8, 13 and 20 are canceled herein.

The Examiner alleges that “a single general digital audio” channel is not described in the specification. The Applicant respectfully and meaningfully disagrees.

For example, Fig. 1 CLEARLY shows the combination of general broadcast information, local information, local broadcast identifying code, etc., are CLEARLY shown being multiplexed by multiplexer 146 into a SINGLE channel of a transmitter.

It is respectfully requested that the rejection be withdrawn.

Claims 1, 3-15, 17-22, 24, 25, 27-29 and 31-33 over Schmidt in view of Bando

In the Office Action, claims 1, 3-15, 17-22, 24, 25 and 27-33 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Pat. No. 6,160,585 to Schmidt et al. (“Schmidt”) in view of U.S. Pat. No. 6,040,867 to Bando et al. (“Bando”). As discussed in each of the previous FOUR

Amendments (filed on August 6, 2003, February 18, 2004, August 3, 2004, and February 9, 2005), claim 30 is canceled.

Claims 3, 8, 13 and 20 are canceled herein. Otherwise, the Applicant respectfully traverses the rejection.

General Broadcast AND Local Broadcast **COMBINED** in **SINGLE** channel

Claims 1, 4-7, 9-12, 14, 15, 17-19, 21, 22, 24, 25, 27-29 and 31-33 recite a system for transmitting a **plurality** of localized information streams within a **SINGLE** general digital audio broadcast channel. (An exemplary embodiment showing such combination into a SINGLE digital audio broadcast transmit channel is shown in Fig. 1.)

The Examiner agrees that “Schmidt fails to teach a digital radio transmitter and a packetizing of the information stream, wherein at least one of the plurality of local broadcast information codes is contained in a header of each data packet transmitted by the transmitter.” (Office Action at 3)

Schmidt teaches a video system that multiplexes different broadcasts into **MULTIPLE, DIFFERENT channels**, the TV receiver selecting a desired channel for reception.

Bondo teaches a TV receiver as well, Bondo’s multiplexing VIDEO, AUDIO and DATA into a given channel.

A theoretical combination of Schmidt and Bondo would, at best, result in a VIDEO TV receiver that uses MULTIPLE channels, each channel transmitting VIDEO, AUDIO and DATA.

The cited prior art fails to disclose, teach or suggest transmission of a **plurality** of localized information streams within a **SINGLE** general digital audio broadcast channel, as recited by claims 1, 4-7, 9-12, 14, 15, 17-19, 21, 22, 24, 25, 27-29 and 31-33. Thus, for these reasons alone, claims 1, 4-7, 9-12, 14, 15, 17-19, 21, 22, 24, 25, 27-29 and 31-33 are patentable over the prior art of record.

Local Identifying Information is **GEOGRAPHICALLY** Related

Furthermore, claims 1, 4-7, 9-12, 14, 15, 17-19, 21, 22, 24, 25, 27-29 and 31-33 variously recite use of a plurality of local broadcast identifying

codes each relating to a local GEOGRAPHIC area within a general broadcast area serviced by the system.

Schmidt teaches accomplishment of local area broadcasting based on the 'region from which a local TV station or cable system transmits their signals.' Thus, according to Schmidt, local broadcasts are transmitted ONLY LOCALLY. Local broadcasts are NOT broadcast to a general broadcast area.

Bando teaches inclusion of VIDEO, AUDIO and DATA within each transmitted channel. Bando fails to teach ANY geographically related information.

For at least THESE reasons, claims 1, 4-7, 9-12, 14, 15, 17-19, 21, 22, 24, 25, 27-29 and 31-33 are patentable over the prior art of record.

Claims Relate to a Digital Audio Broadcast (DAB) System, NOT video

Moreover, claims 1, 4-7, 9-12, 14, 15, 17-19, 21, 22, 24, 25, 27-29 and 31-33 variously recite a packetized, digital audio broadcast (DAB) system, including a unique local identifying code in a header of each data packet relating to each local digital packetized audio information source.

A digital audio broadcast (DAB) system is a specialized system for broadcasting DIGITAL AUDIO information to a plurality of receivers. A DAB system's topology is similar to conventional radio in that there is a centralized transmitter transmitting to a plurality of receivers. **NONE** of the prior art applied by the examiner relates to the unique problems associated with a DAB system.

Both cited references, Schmidt and Bando, are directed toward video transmissions, with no disclosure or suggestion for application to a DAB system.

In particular, Schmidt teaches a conventional streaming video transmission system wherein video is passed through an analog multiplexer 14 (Fig. 1) that combines two streaming video data signals into a single streaming video data signal. (Schmidt, col. 2, lines 7-10) According to Schmidt, normal or baseline video is streamed continuously by all receivers, while the streaming video signal for commercials may be multiplexed with the baseline streaming video signal. (Schmidt, col. 2, lines 19-23; 37-40; 51)

The present invention claims a packetized local DIGITAL BROADCAST AUDIO (DAB) system—NOT video!

It is respectfully submitted that a person of ordinary skill in the art would NOT have looked to Schmidt in combination with multiple other references cited by the Examiner to build improved packetized audio techniques as claimed.

The Examiner cites Schmidt as a primary reference alleging, inter alia, that it teaches use of a plurality of local broadcast identifying codes each associated with a respective one of the plurality of local content source information streams (e.g., a level address discrimination which bases upon the geographical location). (Office Action at 2)

The use of unique local identifying codes are an important part of the present invention, as is their placement in a header of each data packet relating to each local digital packetized audio information source. The Examiner provides absolutely no reference to any particular feature in Schmidt that discloses unique local identifying codes as claimed. Rather, the Examiner simply states a generality that is somewhat unintelligible, i.e., “(e.g. a level address discrimination which bases upon the geographical location)”. Whatever the Examiner is referring to, it certainly isn’t a unique local identifying code that’s placed in a header of each data packet, as claimed by all pending claims of the present invention.

Nevertheless, the Examiner agrees that “Schmidt **fails to teach a digital** radio transmitter and **packetizing** the information stream, wherein at least one of the plurality of **local broadcast identifying codes is contained in a header of each data packet**”. (Office Action at 3)

To cure the MANY and IMPORTANT deficiencies of the base reference of Schmidt, the Examiner cites Bondo for allegedly teaching a “baseband **VIDEO** signal to packet (col. 3, lines 9-17), which contains identifying codes in header of each data packet (col. 3, lines 22-24).” (Office Action at 3)(emphasis added)

By the Examiner’s own interpretation, Schmidt and Bondo each teach a VIDEO signal.

The present invention relates not only to an AUDIO signal, but to a very specific AUDIO format called DIGITAL AUDIO BROADCAST (DAB).

A digital signal is NOT an audio signal, and CERTAINLY not the very specific format of a DIGITAL AUDIO BROADCAST (DAB) signal.

Neither Schmidt nor Bondo, either alone or in theoretical combination, even if proper, disclose, teach or suggest a DIGITAL AUDIO BROADCAST (DAB) system as claimed by claims 1, 4-7, 9-12, 14, 15, 17-19, 21, 22, 24, 25, 27-29 and 31-33.

For these and other reasons, claims 1, 4-7, 9-12, 14, 15, 17-19, 21, 22, 24, 25, 27-29 and 31-33 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman
Reg. No. 36,457

MANELLI DENISON & SELTER PLLC
2000 M Street, NW 7th Floor
Washington, DC 20036-3307
TEL. (202) 261-1020
FAX. (202) 887-0336